

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI**

MINUTES OF CIVIL JURY/NON JURY TRIAL

Presiding Judicial Official CATHERINE D. PERRY **Date** 12/4/09 **Case No.** 4:06MD1811 CDP

In Re: Genetically Modified Rice Litigation

Parties present for ☒ JURY TRIAL ☐ NON JURY TRIAL Trial Day: 21

Court Reporter T. Hopwood Deputy Clerk K. Hisaw

Attorney(s) for Plaintiff(s) Don Downing, Grant Davis, Gretchen Garrison, William Chaney, Adam Levitt

Attorney(s) for Defendant(s) Mark Ferguson, Eric Olson, Stephen Cowen, Glen Summers, Terry Lueckenhoff

☐ Jury impaneled and sworn. ☐ Opening Statement(s) of ☐ Plaintiff(s) ☐ Defendant(s) made.

☐ Plaintiff(s) evidence ☐ commenced ☐ resumed ☐ and ☐ but not ☐ concluded.

☐ Defendant(s) evidence ☐ commenced ☐ resumed ☐ and ☐ but not ☐ concluded.

☐ Plaintiff(s) evidence in rebuttal ☐ commenced ☐ resumed ☐ and ☐ but not ☐ concluded.

☐ Defendant(s) evidence in surrebuttal ☐ commenced ☐ resumed ☐ and ☐ but not ☐ concluded.

☐ Oral ☐ Written Motion for Judgment as a Matter of Law at close of ☐ pltf's case ☐ deft's case ☐ filed ☐
made/argued by ☐ pltf(s) ☐ deft(s) and is ☐ Overruled/Denied ☐ Sustained ☐ Court's ruling reserved

☐ taken under submission ☐ taken with the case ☐ held in abeyance

☐ Closing Arguments of counsel made. ☐ Case taken under advisement.

☐ (Simultaneous) briefs due _____. ☐ Case is settled. Dismissal papers due _____.

X Jury continued deliberations at 8:45 a.m.

X Verdict(s) returned at 10:45 a.m.

X Jury having heard evidence re: punitive damages, retires to consider its verdict(s) at 12:40 p.m.

X Verdict(s) returned at 1:55 p.m.

☐ Jury unable to agree upon its verdict(s) by ____am/pm is excused to resume deliberations ____ at ____ am/pm

☐ On motion of ☐ plaintiff ☐ defendant ☐ Court the jury is polled.

☐ Proceedings to continue _____ at ____ am/pm

X Judgment is entered accordingly this date. X Depositions X Exhibits retained by ☐ Court X Counsel.

PROCEEDINGS COMMENCED: 11:00 a.m. - 12:40 p.m. CONCLUDED: 2:00 p.m. - 2:05 p.m.

Matters on the record: 9:30 a.m. -10:00 a.m.